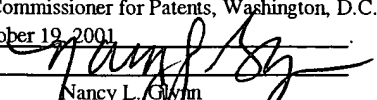


I hereby certify that this correspondence is being deposited with the  
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addressed to: Commissioner for Patents, Washington, D.C. 20231  
on October 19, 2001  
By:   
Printed: Nancy L. Glynn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tang et al.

Title: HUMAN CHAPERONE PROTEINS

Serial No.: 09/787,678

Filing Date:

To Be Assigned

Examiner: To Be Assigned

Group Art Unit:

To Be Assigned

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Box PCT  
Commissioner for Patents  
Washington, D.C. 20231

DECLARATION UNDER 37 C.F.R. §1.47(a)

Sir:

I. Nancy Lares Glynn, do hereby declare:

1. I am employed by Incyte Genomics and currently hold the position of IP Coordinator. My duties at Incyte include supervising the execution of Declarations and Assignments needed for the prosecution of Incyte patent applications.

2. The above-identified application was first filed as PCT application PCT/US99/22027 on September 22, 1999, and entered into the U.S. national stage (U.S. Serial No. 09/787,678) on March 20, 2001 (hereinafter referred to as "the subject U.S. national stage application"). Y. Tom Tang, Jennifer L. Hillman, Henry Yue, Chandra Arvizu, Mariah R. Baughn and Sajeev Batra are named as inventors of the subject U.S. national stage application. A Declaration under 37 C.F.R. §1.497 was not filed at the time the subject U.S. national stage application was originally filed.

3. Sajeev Batra was once employed by Incyte, from June 2, 1997 to March 12, 1999. The last known mailing address of Sajeev Batra is 555 El Camino Real, #709, Sunnyvale, California 94087.

4. A Notification of Missing Requirements Under 35 U.S.C. 371 was mailed by the U.S. Patent Office in connection with the subject U.S. national stage application on April 19, 2001, indicating that an oath or declaration of the inventors in compliance with 37 CFR 1.497 needed to be filed. After receipt of the Notification of Missing Requirements by Incyte and prior to September 6, 2001, I telephoned the number left by Sajeev Batra upon termination of his employment with Incyte approximately four times to inform him that his signature was needed on a Declaration Under 37 C.F.R. §1.497 in the subject U.S. national stage application; no answer resulted from any of these telephone calls. I again telephoned the number left by Sajeev Batra on September 6, 2001 to request his signature on the §1.497 Declaration but there was also no answer to this call. On September 18, 2001 I sent by Federal Express a package to Sajeev Batra at his last known address. That package include a copy of the subject U.S. national stage application and a Declaration under 37 C.F.R. 1.497 for his signature, as well as a Federal Express label addressed to Incyte so that the executed document could be returned to Incyte. See attached hereto a copy of the September 18, 2001 letter and Federal Express Airbill receipt (Exhibit A). I further contacted Federal Express and confirmed that the package was delivered to the address of 555 El Camino Real, #709, Sunnyvale, California 94087 on September 20, 2001. No response to the Federal Express has been received from Sajeev Batra. Furthermore, I placed an additional telephone call to Sajeev Batra on October 17, 2001; this time a message indicated that the telephone number was temporarily disconnected.

5. I declare further that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, and that willful false statements may jeopardize the validity of this application and any patent issuing thereon.

  
Nancy Lates Glynn

Signed at PALO ALTO, California  
this 19 day of October, 2001.